

January 9, 2002

Magalie Roman Salas  
Commission Secretary  
Federal Communications Commission  
Portals II  
445 12<sup>th</sup> Street, S.W.  
Suite TW-A325  
Washington, D.C. 20554

Re: Petition of the Connecticut Department of Public Utility Control for  
Authority to Implement a Transitional Service Technology Specific  
Service Overlay in Connecticut

Dear Ms. Salas:

Enclosed please find one original and six copies of the Connecticut  
Department of Public Utility Control's supplemental information to its March 7,  
2001 Petition for Authority to Implement a Transitional Service Technology  
Specific Service Overlay in Connecticut.

Sincerely,

DEPARTMENT OF PUBLIC UTILITY CONTROL

Louise Rickard  
Acting Executive Secretary

Enc.

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Petition of the )  
Connecticut Department of Public Utility Control )  
for Authority to Conduct a Transitional )  
Service Technology Specific Overlay Trial )  
in Connecticut )

PETITION OF THE CONNECTICUT  
DEPARTMENT OF PUBLIC UTILITY CONTROL  
FOR AUTHORITY TO CONDUCT A TRANSITIONAL  
SERVICE TECHNOLOGY SPECIFIC SERVICE OVERLAY TRIAL

Donald W. Downes  
Chairman

Glenn Arthur  
Vice-Chairman

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PETITION OF THE CONNECTICUT  
DEPARTMENT OF PUBLIC UTILITY CONTROL  
FOR AUTHORITY TO IMPLEMENT A TRANSITIONAL  
SERVICE TECHNOLOGY SPECIFIC SERVICE OVERLAY TRIAL

**I. Introduction and Summary**

On March 7, 2001, the Connecticut Department of Public Utility Control (CTDPUC) petitioned the Federal Communications Commission (Commission or FCC) for authority to conduct a transitional service or technology-specific overlay (TSTSO) in Connecticut (Petition).<sup>1</sup> In its Petition, CTDPUC expressed its belief that a TSTSO was appropriate for Connecticut for a number of reasons. For example, CTDPUC cited to the fact that there were currently two unopened NPAs that had been assigned to Connecticut in anticipation of CTDPUC implementing an approved area code relief plan (i.e., all services overlays) in the 203 and 860 NPAs.<sup>2</sup> CTDPUC also noted that there were two pooling trials underway in both NPAs and that the remaining numbering resources in the

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<sup>1</sup> Although CTDPUC initially petitioned the Commission for authority to conduct a TSTSO trial in Connecticut, it was encouraged by the FCC in its December 12, 2001 Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98, and CC Docket No. 99-200 (TRO) to authorize specialized overlays (SO). TRO, ¶, 79. In light of the TRO, CTDPUC requests through the filing of this supplemental information that it be delegated authority to implement SOs in each of Connecticut's existing NPAs.

existing area codes would, upon the opening of the TSTSO, provide for a more optimal and efficient number assignment in the underlying area codes. Lastly, CTDPUc indicated that while 10-digit dialing would not be required initially under the Joint Wireless Commenters' (JWC) proposal, 10-digit dialing was currently in effect for approximately 45% of all local calls in Connecticut. Consequently, because almost one-half of the state already has become acclimated to 10-digit dialing, the CTDPUc did not believe that its imposition when required, would be an issue. CTDPUc continues to believe that its rationale underlying the Petition is as valid today as it was in March 2001 when it initially petitioned the Commission for authority to conduct a TSTSO trial in Connecticut.<sup>3</sup>

In the TRO, the Commission invited states to supplement their petitions or seek delegated authority to implement specialized overlays (SOs) in accordance with criteria outlined in the TRO. TRO, ¶67. Specifically, the Commission directed state commissions to discuss why the numbering resource optimization benefits of an SO would be superior to implementation of an all-services overlay. The Commission also directed state commissions to address the following:

- (1) the technologies or services to be included in the SO;
- (2) the geographic area to be covered;
- (3) whether the SO will be transitional;
- (4) when the SO will be implemented and, if a transitional SO is proposed, when the SO will become an all-services overlay;
- (5) whether the SO will include take-backs;
- (6) whether there will be 10-digit dialing in the SO and the underlying area code(s);
- (7) whether the SO and

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<sup>2</sup> The 475 area code has been assigned to the existing 203 NPA while the 959 code will be assigned to the 860 code.

<sup>3</sup> The Petition was another effort by CTDPUc to optimize telephone numbering resources in Connecticut. In addition to CTDPUc's numbering resources' optimization efforts noted above, CTDPUc has overseen the consolidation of rate centers in Connecticut as well as its administration of an unassigned number porting (UNP) trial that is currently underway in the state.

underlying area code(s) will be subject to rationing;  
and (8) whether the SO will cover an area in which  
pooling is taking place.

TRO, ¶81.

In response to the TRO, CTDPUc hereby reaffirms its request to implement SOs in Connecticut and supplements its March 7, 2001 Petition. Implementing SOs are in the public interest and based on the filing of the following supplemental information, CTDPUc requests that it be delegated the authority to implement SOs in Connecticut's 203 and 860 NPAs.

## **II. Discussion**

CTDPUc concurs with the FCC that SOs may be a viable alternative to traditional forms of area code relief. TRO, ¶79. However, what is of greater importance to CTDPUc is that it is an additional numbering resource optimization measure affording the states another tool to assign telephone numbers (TN) in a more efficient manner. Approval of the Petition for delegated authority will offer CTDPUc with another means of delaying the exhaust of Connecticut's existing NPAs. As evidenced below through its responses to the Commission's request for supplemental information, CTDPUc has seriously contemplated the implementation of SOs in Connecticut and is eager to begin their implementation in Connecticut. Accordingly, the following information is provided:

### **(1) The technologies or services to be included in the SO.**

In its Petition, and consistent with the JWC proposal, CTDPUc requested authority to conduct a TSTSO in Connecticut limited to participation by nonLNP-capable carriers. Petition, p. 2. Nevertheless, CTDPUc has previously

supported the use of SOs by multiple carriers when it stated that transitional area codes should not be limited solely to nonLNP-capable service providers. See CTDPUc's February 14, 2001 Comments filed in CC Docket No. 99-200, Numbering Resource Optimization and CC Docket No. 96-98, Petition for Declaratory Ruling and Request for Expedited Action on the July 15, 1997 Order of the Pennsylvania Public Utility Commission Regarding Area Codes 412, 610, 215 and 717, p. 8. CTDPUc continues to believe that the greater number of service providers that can be accommodated from the SOs would extend the lives of the existing NPAs and afford more TNs to traditional services' customers.

The Commission appears to have expanded the types and number of service providers that would be eligible to participate in the SO. CTDPUc concurs with the Commission's suggestion that nongeographic-based services' providers also be included in the SO. The SO NPA would be a more appropriate source of TNs for those end users that are not sensitive to the geographic location from where their TNs are assigned and would make available a greater level of TN resources to those customers that are. As CTDPUc previously indicated in its February 14, 2001 Comments in CC Docket No. 99-200, consumers located in existing NPAs are often denied access to existing codes and feel the brunt of any implications that may arise from the introduction of new area codes. SOs will offer the same telephone number resources to those customers that do not value location-specific or geographically-based numbers that they currently receive from the underlying NPAs. In the opinion of CTDPUc, it is not unreasonable to require nongeographic-based services' providers or

service providers whose subscribers have no preference where their telephone number are assigned, to assign their TNs from an SO. Assigning TNs in this manner would free existing numbering resources for those service providers offering services to end users located in the underlying NPA(s).

**(2) The geographic area to be covered and (8) whether the SO will cover an area in which pooling is taking place.**

Initially, CTDPUUC requested authority to conduct its TSTSO trial in one of Connecticut's unopened NPAs. Petition, p. 2. However, based on the current exhaust projections of the Connecticut's existing NPAs, CTDPUUC in this supplemental filing has sought authority to separately implement SOs in Connecticut's 203 and 860 area codes. As part of CTDPUUC's approved area code relief plan, new area codes have been assigned to these NPAs and pooling is currently underway in both NPAs. Because CTDPUUC believes that exhaust of the underlying NPAs should be triggered when the new NPAs become all service overlays (See (3) below), telephone number assignments in the 203 and 860 NPAs should continue for end users of traditional service, thus further optimizing number assignment and extending the lives of those area codes. CTDPUUC envisions that the SOs will mirror the geographic area of the underlying NPAs.

Regarding the Commission's request that the states address call rating and routing issues (TRO, ¶83), CTDPUUC does not believe this to be an issue in Connecticut because the two SOs will overlay the existing 203 and 860 NPAs. Routing and rating of calls will continue as if they were made from the underlying area codes. Consequently, carriers and end users will experience no difference in the manner in which calls are routed and rated today.

**(3) Whether the SO will be transitional; and (4) when the SO will be implemented and, if a transitional SO is proposed, when the SO will become an all-services overlay.**

CTDPUC has always understood that its implementation of a TSTSO in Connecticut would be on a transitional basis. CTDPUC does not believe that delegated authority to implement SOs would warrant a change in that position. Additionally, given that wireless carriers must become pooling-capable in less than 12 months, CTDPUC believes that it would be more practical to require the SO to become an all services overlay when the underlying NPA exhausts. Moreover, with number pooling currently underway in both NPAs and depending upon the results of the Connecticut UNP trial (and subsequent adoption of UNP in the state), the 203 and 860 area codes may not exhaust for some time. CTDPUC expects that as telephone number assignment practices become more efficient (i.e., through pooling, UNP, etc.), the lives of the underlying NPAs should be extended indefinitely.

**(5) Whether the SO will include take-backs.**

In order to further numbering resources in the existing NPAs, participating carriers in the transitional area codes should be required to return all unopened NXXs from the existing area codes to the NANPA. In the opinion of CTDPUC, such an approach would be consistent with the Commission's prohibition of number "take backs," with which CTDPUC concurs. In addition, as noted by the Commission, there are some cases when end users receive TNs that their assignment needs not be geographically-related. CTDPUC will work with the carriers to assign prospective and existing subscribers TNs from the new SOs.



CTDPUC is well aware that the public interest is not served if consumers are required to “turn back” their existing telephone numbers and undergo the unnecessary expense and inconvenience often associated with changing telephone numbers. Accordingly, take-backs will be limited to those cases described above.

**(6) Whether there will be 10-digit dialing in the SO and the underlying area code(s).**

CTDPUC does not believe that 10-digit dialing would be necessary with the implementation of the SOs at this time and will defer to the Commission for direction. As noted above, 10-digit dialing is currently in effect for 45% of local calls in Connecticut; therefore, CTDPUC does not believe that its imposition if required, would be an issue (assuming a proper consumer 10-digit dialing education program is implemented in advance of 10-digit dialing).

**(7) Whether the SO and underlying area code(s) will be subject to rationing.**

CTDPUC concurs with the Commission and does not believe that the SO NPAs nor the underlying area codes should be subject to rationing.

**III. Conclusion**

CTDPUC believes that implementing SOs is in the public interest and requests the Commission’s authority to immediately implement SOs in the Connecticut NPAs. Implementation of SOs would be timely and meet the needs of the industry and the public. Authority to implement SOs also meets the intent of CTDPUC’s March 2001 Petition for authority to implement a TSTSO and is a workable solution to further telephone numbering optimization measures in

Connecticut. CTDPUUC stands ready to work with the Commission and the industry to begin implementing the SOs and hereby requests the authority to implement them immediately.

Respectfully submitted,

CONNECTICUT DEPARTMENT OF  
PUBLIC UTILITY CONTROL

Donald W. Downes  
Chairman

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Connecticut Department of  
Public Utility Control  
Ten Franklin Square  
New Britain, CT 06051

## **CERTIFICATION**

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Miriam L. Theroux  
Commissioner of the Superior Court